

### **REMARKS/ARGUMENTS**

This Amendment is in response to an Office Action mailed March 8, 2006. In the Office Action, claims 12, 14-15, 22-23 and 34-37 have been allowed. Claims 27, 32 and 39 have been objected and claims 24-26, 28-31, 33, 38 and 40 have been rejected under 35 U.S.C. §103. The Examiner is thanked for the thorough examination and Applicants respectfully request reconsideration of the claims based on the arguments set forth herein.

#### ***Allowance of Claims 12, 14-15, 22-23 and 34-37***

Claims 12, 14-15, 22-23 and 34-37 are currently in condition for allowance. No amendments of these claims have been made in this Amendment.

#### ***Request for Examiner's Interview***

The Examiner is respectfully requested to contact the undersigned by telephone at the phone number listed below if after review, such claims are still not in condition for allowance. This telephone conference would greatly facilitate the examination of the present application. The undersigned attorney can be reached at the telephone number listed below.

#### ***Objected Claims***

Applicants respectfully acknowledge that the Examiner concurs that claims 27, 32 and 39 contain patentable subject. While placement of limitations associated with claims 27, 32 and 39 into corresponding independent claims 24, 30 and 38 would place all of the claims into condition for allowance, Applicants respectfully submit that independent claims 24, 30 and 38 are already in condition for allowance. Therefore, Applicants reserve the right to amend independent claims 24, 30 and 38, but respectfully request the Examiner to reconsider the allowability of claims 24, 30 and 38.

#### ***Rejection Under 35 U.S.C. § 103***

Claims 24-26, 28-31, 33, 38 and 40 were rejected under 35 U.S.C. §103(a) as being rendered unpatentable by Chuah (U.S. Patent 6,115,390). Applicants respectfully traverse the rejection because a *prima facie* case of obviousness has not been established.

As the Examiner is aware, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations. *See MPEP §2143; see also In Re Fine, 873 F. 2d 1071, 5 U.S.P.Q.2D 1596 (Fed. Cir. 1988)*. Herein, the cited reference (Chuah) fails to describe or suggest all the claim limitations.

With respect to independent claims 24, 30 and 38, Applicants respectfully submit that Chuah does teach or suggest translating a cast frame into a plurality of unicast frames or an Eavesdrop Unicast frame. The Examiner identifies a unicast subframe being attached to the back of the broadcast subframe (see page 2 of Office Action), but Chuah does not suggest the *translation* of a broadcast frame into the plurality of unicast frames or the Eavesdrop Unicast frame as claimed. *Emphasis added.* Applicants respectfully submit that Chuah teaches the translation of a broadcast frame of a first format into a broadcast frame of a second format, but does not describe or suggest the translation between a “cast” frame and a unicast frame as claimed. Withdrawal of the §103(a) rejection as applied to independent claims 24, 30 and 38 is respectfully requested.

In addition, Applicants respectfully submit that dependent claims 25-26, 28-29, 31, 33 and 40 are in condition for allowance based on their own merit. However, no further discussions as to the grounds for allowability is warranted based on their dependency on independent claims 24, 30 and 38, which are believed by Applicants to be in condition for allowance. Applicants reserve the right to present such arguments in an Appeal is warranted. Withdrawal of the §103(a) rejection as applied to claims 25-26, 28-29, 31, 33 and 40 is respectfully requested.

***Conclusion***

Applicants respectfully request consideration of pending claims 12, 14-15 and 22-40.

Respectfully submitted,

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Dated: August 8, 2006

By

  
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Susan McFarlane

8/8/2006

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